

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

MITCHELL MARBURY, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )           Case No. 2:07-cv-02285-RRA  
                          )  
                          )  
LONZIE EDWARDS and )  
BEVERLY WARREN,     )  
                          )  
Defendants.           )

Order

In accordance with the memorandum opinion entered contemporaneously herewith, the defendants' special report is treated as a motion for summary judgment. The defendants' motion for summary judgment is hereby denied. This case is now out of the special report stage, and it shall proceed accordingly.

Done this the 5<sup>th</sup> day of November 2009.



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INGE PRYTZ JOHNSON  
U.S. DISTRICT JUDGE